



LEGISLATIVE FISCAL OFFICE
Fiscal Note

Fiscal Note On: **SB 210** SLS 12RS 386

Bill Text Version: **ORIGINAL**

Opp. Chamb. Action:

Proposed Amd.:

Sub. Bill For.:

Date: March 13, 2012 6:25 PM	Author: CLAITOR
Dept./Agy.: Public Service Commission	
Subject: Rules for spam texts to wireless and third party charges	Analyst: Deborah Vivien

TELECOMMUNICATIONS OR NO IMPACT GF EX See Note Page 1 of 1
Requires Louisiana Public Service Commission to promulgate rules and regulations regarding unrequested commercial text messages and third-party charges to the consumer for certain text message solicitations. (1/1/13)

Current law directs the Public Service Commission (PSC) to promulgate rules which comply with federal regulations prohibiting a telemarketer from soliciting through wireless telephones.

Proposed law retains current law and directs the PSC to promulgate rules regarding unrequested commercial text messages and third-party charges for certain text message solicitations.

Effective January 1, 2013

EXPENDITURES	2012-13	2013-14	2014-15	2015-16	2016-17	5 -YEAR TOTAL
State Gen. Fd.	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	\$0
Ded./Other	\$0	\$0	\$0	\$0	\$0	\$0
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	\$0	\$0	\$0	\$0	\$0	\$0
Annual Total						

REVENUES	2012-13	2013-14	2014-15	2015-16	2016-17	5 -YEAR TOTAL
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	\$0
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	\$0
Ded./Other	\$0	\$0	\$0	\$0	\$0	\$0
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	\$0	\$0	\$0	\$0	\$0	\$0
Annual Total	\$0	\$0	\$0	\$0	\$0	\$0

EXPENDITURE EXPLANATION

The bill as written directs the Public Service Commission (PSC) to promulgate rules regarding unrequested commercial text messages and third-party charges for text message solicitations. There is no directive as to the prohibition of any activity nor enforcement requirements by the PSC. Thus, there is no anticipated direct material effect on governmental expenditures as a result of this bill, although the rules promulgated may possibly have some impact.

Assuming this bill seeks to prohibit unrequested text messages and third party charges, currently, a federal program called CAN-SPAM has rules that prohibit sending unwanted commercial email messages to wireless devices and computers. According to the PSC, the state would not be able to offer any services in excess of this federal program without a significant increase in resources. However, this bill does not itself establish such a program or effort but only calls for the promulgation of rules and regulations pertaining to these messages.

REVENUE EXPLANATION

There is no anticipated direct material effect on governmental revenues as a result of this measure.

Senate	Dual Referral Rules	House	
<input type="checkbox"/> 13.5.1 >= \$100,000 Annual Fiscal Cost {S&H}		<input type="checkbox"/> 6.8(F)1 >= \$500,000 Annual Fiscal Cost {S}	
<input type="checkbox"/> 13.5.2 >= \$500,000 Annual Tax or Fee Change {S&H}		<input type="checkbox"/> 6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease {S}	Gregory V. Albrecht Chief Economist